

VIRGINIA ROANOKE RIVER BASIN ADVISORY COMMITTEE MEETING MINUTES
Virginia Museum of Natural History, Martinsville
May 21, 2007

Attendance: VRRBAC members Senator Frank Ruff, Read Charlton, Dr. Rupert Cutler, Evelyn Janney, John Lindsey, Curry Martin, Mike McEvoy and Charles Poindexter; DEQ: Greg Anderson; DCR: Dean Gall; DGIF: Bud LaRoche

Call to Order:

Chairman Poindexter called the meeting to order.

Welcome:

Benny Summerlin, Henry County Administrator:

- Welcome to Martinsville, Henry County, and the new Virginia Museum of Natural History. This is a great facility in our community and it opened I believe race weekend. The museum has been here for a number of years operating in a former elementary school. So to have a new facility for research and exhibit it's is pretty special to us. Just want to talk to you for a few minutes about some of the things going on maybe in the lower portion of the Roanoke River Basin. Most of you probably know the Smith River flows through Henry County. It cuts the county diagonally and most of our industrial growth occurred along the river. In recent years I think we have come to cherish the river more and the associated assets and have got a number of activities associated with the river. In 2002 the Dan River Basin Association was formed down in North Carolina. A couple of people there are really champions of the environmental stewardship of our assets. In the last couple of years through a grant from the Harvest Foundation that started when they sold a local hospital and became a charitable foundation that has quite sizeable assets. They funded a multi year project in this community working with the Southern Environmental Law Center and started a group called Martinsville Henry County Rivers and Trails. This group eventually affiliated with the Dan River Basin Association and now we have two full time staff that are dedicated to the activities of the association. One the director of the Basin Association is actually located in Eden, North Carolina. The Virginia program director is located in Henry County and we provide office space over at the County Administrative Complex and they coordinate a lot of our activities. I've got a brochure about the Dan River Basin Association I will pass around. It has got their telephone number and address on the back. Our two staff members are actually in Washington State today participating in a river rally. It's a national conference so they send their regrets that they could not be here today. In terms of some of the activities, the basin association is very active in stream monitoring activities. We have just received some funding from Storm Tech for educational programs. I am not familiar with the organization myself but they work to protect and restore riparian buffers. Also starting the first part of June we are going to have two Virginia Tech interns for the summer working with the association conducting some habitat assessments associated with water quality monitoring. Also in this community we are very interested in the 216 study of Philpott Lake. Bud, thank you for all the good work you do representing the state on that effort. Philpott Dam is now a little more than 50 years old and we are very interested in changes that could be made for everybody's benefit there. Also, the General Assembly this past year approved a study, a feasibility study of the Mayo River to see if it is feasible to establish a new state park in Virginia along the Mayo River. Our counterparts in North Carolina have already purchased a little over 1500 acres of land and they have a linear state park along the Mayo River. We would like to see what opportunities exist in Virginia to kind of leverage some of those investments.
- **Question: Read Charlton asked is that on the North Mayo or the South Mayo?** It is actually where the state line is right where the North and South Mayo come together. We are looking from the state line north which is **How many acres?** It is our understanding that Virginia likes to see at least 600 acres for a state park and we know of in the neighborhood of six to eight hundred before we start the study that there are willing land owners that would be willing to consider selling property for a state park. **Chairman Poindexter asked if that would be an entirely new state**

park. Yes, it would be an entirely new state park. We would just like to see an opportunity to capitalize on some North Carolina investments. **What would be the activities there besides hunting and fishing? Boating?** Paddling, maybe there are possibilities for cabins, birding trails, hiking trails, etc. We are working what we call the Smith River Trail System and have a couple of projects underway. We put in our first river access points this past year in the county; we put in three river access points. We actually have about eight planned. The county also purchased 75 acres along the river that is going to be called the Gravely Nature Preserve. We received a grant from the Harvest Foundation to develop trails and signage and other things along that track. That project is underway. We just completed a one mile demonstration trail along the river which finished construction last Friday. We see the community of Fieldale kind of being the focal point of a lot of trails throughout our communities. We also have an earmark for a 7.2 mile rail trail and we are working with a consulting engineer to try and develop that.

- **Question: Read Charlton asked if that first trail you mentioned the shorter one, is that open to the public yet.** It is not, we just finished construction on Friday, and it will probably open in the next 30 days. We do have a couple of trails called Doe Run Park. When DuPont closed their facility here they donated a fairly sizeable area to the County, there are some established trails and we operate that as a.... **That is ongoing, that is available now.** It is available now. Also, the Dan River Basin Association they sponsor I believe what they call first Saturday's. They have an outing on the first Saturday of every month that involves a hiking or paddling activity, to kind of introduce the people in the community to the various amenities in the region.
- The last thing I'll talk just briefly about is our trout in the classroom program. It is in a number of our schools and they actually are releasing trout this week. It was funded primarily by a local orthodontist, Dr. David Jones, and the purpose of it is to teach environmental education. The students actually raise trout from eggs to fingerlings and then there is a release into the river each spring and I think there are releases all this week and maybe some next week. A lot of activities going on in the lower portion of the basin, we appreciate everybody's work in the Virginia Roanoke River Basin Advisory Committee. I will be glad to any questions.
- **Question: Dr. Cutler asked how about the Blue Ridge Parkway? That is obviously one link between this part of the State and the Roanoke Valley and upper Roanoke watershed. In Roanoke we have got the Roanoke Regional Greenway Commissions who have worked with the National Park Service to get permission from the National Park Service for hikers perhaps bikers. In the past it has only been an equestrian trail along the Blue Ridge Parkway. I wonder if there is a way we could expand that use of the Blue Ridge Parkway to be a more of a hiking/biking trail connection between other parts of the state.** Yes, we certainly have talked about that and see some opportunity such as a from the mountains to the seashore connection. I know further east of here there is a lot of activity in terms of rail trails, and really long corridors that can be purchased to develop trails. Our initial focus, we would like to see along the river trail systems to get pretty much to the base of Philpott Dam, in the northwestern portion of the county. Then we would like to see some way to make a connection back up to the Blue Ridge Parkway, probably through Patrick County. There is a lot of work to be done. That is primarily the focus of our Virginia Program Director right now is to try to develop a master plan of how to make a lot of these connections. **It seems like you have had more success in working cooperatively with your neighbors in North Carolina than this committee has.** Absolutely! I read your annual report. North Carolina actually purchased about two hundred acres of land in Henry County when they were developing their State park. Obviously the property owners did not want to sell large tracts only cut out the North Carolina section. So they actually had to buy some property in Virginia, and they have been holding onto it to see what happens across the line in Virginia. We have actually had pretty good dialog with North Carolina. **Well now, Governor Kaine has talked about protecting additional 400,000 acres of open space and that doesn't necessarily all have to be in conservation easements. There should be some simple land acquisitions for state parks and natural areas as well. So does your plan kind of tie in with that?** We certainly are keeping Governor Kaine's goal in mind, yes. **Well, there are going to be developing budget, the money to acquire that would ideally be in the Natural Resources Secretariat's budget under the**

heading of how to get that 400,000 acres. 350,000 acres of that is I guess suppose to be in the Chesapeake Bay watershed, but the rest of it is in the Roanoke River watershed and the Tennessee. In terms of the timeline for the feasibility study of the Mayo River State Park it is my understanding that most all of the field work will be completed by June, and that the report should be prepared sometime around November. **Is Preston Bryant, the Secretary of Natural Resources into this?** Yes. We are working with DCR on the actual study. Hopefully before the General Assembly convenes we will have pretty good information about the feasibility of the state park. **So it would be part of the economic package to help Southside Virginia.** Absolutely, particularly North Carolina their leg to the park is already open, and so if we could do some things across the line in Virginia and take advantage of the millions of dollars that have been spent across the line. Chairman Poindexter said right, right we need to look at tying that together, I would think. Wonderful.

John Dyches, Martinsville Water Resources Director

- I will not be as eloquent or as lengthy as Bennie. I have a couple of quick comments from a personal standpoint. I grew up in this area and have been professionally involved here for some 33 years. During that time I have seen great improvements in the river. Believe it or not, it was basically a sewer line for many years ago. It has greatly improved. We look forward to further improvements in the quality of the river and of course the recreational aspects we are looking at more now. We of course are very interested in the 216 study going on that will directly affect both the city's hydroelectric plant, on the Smith River and the city's wastewater treatment plant which discharges to the Smith River. I would like to mention that within the city a section of the old railroad right of way has been converted to a trail that is open to the public right now. It is only about 6/10 of a mile long, but it will connect directly to the portion that will eventually go into the county. Other than that I just mainly wanted to welcome you to the City of Martinsville and to this wonderful new facility that is just getting broken in. I will be glad to any questions.
- **Question: Dr. Cutler asked have you had any opportunity to reuse your waste water treatment plan effluent.** That's been discussed but we have not done so. I know that there is a lot going on in that area right now. It turns out there is a golf course right across the river from the city's wastewater treatment plant. **Go for it!** At this time they are pulling some of their irrigation water from the Smith River during high flows during the generating of power, when the river is really rolling. Now after the 216 study that may change around. There may not be that opportunity for the water withdrawal and it's time for us to look at that. We have talked about it but nothing has happened at this point, it could be done, we have a very good quality effluent that could be used for that purpose.
- **Question: Read Charlton asked is the Smith River considered to be navigable.** I think by definition it is considered to be navigable up to the city's hydroelectric plant, which is, I don't know if it is on your map there, but it would be adjacent to where Route 220 crosses the Smith River, is that shown. This is just South of Martinsville where Route 220 crosses the Smith River. That plant has been there since about the 1890's. At the moment it is broken down, but it will be operational be again. They have a generator problem, but I think that is the point historically it would be considered to be navigable.
- **Question: Dr. Cutler asked are you tied into the statewide utility coalition of, , it is set up to handle emergency responses, the Roanoke WWTP Director, Scott Shirley, is working with utility directors around the state to come up with an emergency response where they can help one. Is your utility tied into that?** We are I think through our safety coordinator, but I am not directly. I will be glad to get some further information on that.
- Chairman Poindexter asked Barry Dunkley if he had any opening remarks. Barry said he would touch on a few things Benny and John mentioned. First, the Dan River Basin Association of which I am a member of, and probably the only true utility member of that group. I am on the board there with them and have been since the inception. It is a very good organization and it works very hard

to protect the quality of water in the basin. I am also the Director of the Water and Wastewater Treatment in Danville. We too are very much interested in the 216 study as well as several other studies ongoing at the State level too. I will be glad to answer any questions concerning Danville's interest in all this.

Recognition of Members and Visitors:

Chairman Poindexter welcomed everyone and recognized members and guests. Others not listed above that were present included Ann Austin representing Virgil Goode, Barry Dunkley, Danville, John Dyches, Martinsville, Benny Summerlin, Henry County, and Chester Janney, Floyd County.

January 24, 2007 Meeting Minutes:

These minutes were approved. Mrs. Janney abstained since she was not at the previous meeting. Chairman Poindexter complimented Greg on the minutes and said he had been passing these around to just about every organization I go to, which is quite a few. I get a lot of nice comments and questions about what the group is doing. Mrs. Janney indicated that she took them back to New River PDC to get them the information. Chairman Poindexter suggested passing a copy to her county administrator the farm bureau.

Bud Laroche, VDGIF and Virginia's Sponsor Representative for the Philpott 216 Study; Overview of the Philpott 216 Study:

- I would to thank you all for having me here today. We had a meeting of stakeholders back on March 7th and that evening we had a public meeting. Several of the people here today were at that meeting as well. This is going to be repetitious, as this is basically the same presentation you saw. I will bring you up to date, but since that time nothing has really happened yet.
- The specifically authorized project purposes were flood damage reduction and hydropower. Other project purposes are recreation, water supply, fish and wildlife, and low flow releases.
- Public Law (PL) 91-611 River and Harbor and Flood Control Act of 1970 authorizes the Secretary of the Army, acting through the Chief of Engineers, to review the operation of projects the construction of which has been completed and which were constructed by the Corps of Engineers in the interest of navigation, flood control (flood damage reduction), water supply, and related purposes, when found advisable due to significantly changed physical or economic conditions, and to report, thereon to Congress with recommendations on the advisability of modifying the structures or their operations, and for improving the environment in the overall public interest."
- The reconnaissance phase of the study has been completed with the following outcomes: Scoping letters were sent to 214 individuals, organizations and agencies, 28 letters of comment were received and 145 comments were identified. These comments were placed into 18 pre-determined categories and combined to form 6 Study Focus Areas which are Shoreline Management and Erosion, Natural and Recreation Resources, Operating Policies and Administrative Procedures, Water Quality, Water Supply, and Aesthetics. A report entitled 905(b) Reconnaissance Report, Philpott Dam and Lake, Virginia, (Section 216) Study, Smith River was dated August 2004 and approved 7 January 2005. The reconnaissance phase was 100% paid by the USACE.
- Section 105 of the Water Resources Development Act of 1986 (Public Law 99-662 requires that feasibility studies undertaken by the U.S. Army Corps of Engineer be cost shared with a non-Federal Sponsor. The cost share percentage for this study is 50% federal and 50% non-Federal. The cost sharing partners for this study are the Commonwealth of Virginia and the U.S Army Corps of Engineers Wilmington District. Most of our funding can be done with in-kind services. No hard dollars have been appropriated from Virginia yet.

- USACE – Wilmington prepared a Project Management Plan (PMP) and Feasibility Cost Sharing Agreement (FCSA) which were coordinated with the Commonwealth of Virginia. The FCSA was executed Sep 2006 and the Feasibility Phase initiated October 2006.
- To provide consistent and effective communication, the Sponsor and the Government shall appoint senior representatives to an Executive Committee. Thereafter the Executive Committee shall meet regularly until the end of the Study Period.
- Until the end of the Study Period, the Executive Committee shall generally oversee the Study consistently with the PMP. Executive Committee members include the Commonwealth of Virginia's Deputy District Engineer for Programs and Project Management and the Assistant Secretary of the Department of Natural Resources Jeff Corbin and U.S. Army Corps of Engineers Christine M. Brayman.
- A Project Management Plan (PMP) guides conduct of this study. The PMP is a changing document, updated as the study progresses. The draft PMP was completed in July 2005, coordinated with the sponsor in October 2006, approved by the sponsor and the USACE, finalized in November 2006, and stakeholders were provided a copy of the PMP in February 2007. The lead planner is Richard Lewis, USACE, the project manager is Ben Lane, USACE and Bud Laroche, VADGIF.
- The PMP follows a comprehensive watershed approach that considers benefit's of and impacts on all resources. There is a focus on operation of and flow releases from the completed Philpott Lake project. It will consider problems and opportunities which can be addressed by making changes to project structures or operations and address the concerns of the study sponsor, resource agencies, and stakeholders. It should be mentioned that this is not a basin study. The focus is on and limited to problems and opportunities in connection with the operation of and flow releases from the completed Philpott Lake project. The PMP will not consider all water resource problems and opportunities throughout the river basin.
- The purpose of stage I is to determine data requirements for study, including the determination of data gaps, what studies are needed to fill gaps, the costs of needed studies and surveys, and appropriate tasks, which will be assigned to suitable elements. The products of stage I are a detailed scope of work for the stage II effort, the development of estimated costs for the stage II effort, and the recommended method of accomplishment for the stage II effort.
- The purpose of stage II is to perform required studies and to establish specific goals and objectives. The products of stage II will be to develop quantitative and qualitative objectives for the stage III effort, the identification of integration methodology for the stage III effort, an estimate of costs for the stage III effort, and the establishment of responsibilities for stage III.
- The purpose of stage III is to develop alternatives that meet objectives, determine outputs and impacts of each action, development of a trade-off analysis, and to select recommended action(s). The products of stage III are the feasibility report and NEPA document.
- The project schedule is as follows:

<u>Task</u>	<u>Estimated Schedule</u>	<u>Status</u>
Complete reconnaissance report 905(b)	Sep 2004	Complete
Complete reconnaissance phase – FCSA executed	Sep 2006	Complete
Begin phase I of feasibility phase	Oct 2006	Complete
Project Management Plan (PMP) completed	Nov 2006	Complete
Technical work groups formed/Team Chairman assigned	Mar 2007	Complete
Complete phase I-Work groups complete scopes of work	Feb 2008	
Complete phase II-Data collection, studies, modeling	Feb 2009	
Select recommended plan	Dec 2009	
Complete draft feasibility report and NEPA documents	Jun 2010	

Complete NEPA coordination and processing	Oct 2010
Complete final feasibility report and submit to Division	Dec 2010
Feasibility report approved by Division	Jan 2011
Washington level comments, reviews and approval	
Report Recommendations Submitted to Congress	

- Question: Barry Dunkley asked if this meant there will be no real activity until 2012.** Assuming it gets funding that is correct. **What are the chances of funding? The USACE is hopeful.** They have \$200,000 right now. I suspect some of this will be carried over next year. The USACE gets their salaries from studies like this. I am not sure where the Virginia money will come from. We have already spent a lot of money on fish studies. It will need to be appropriated this winter in the General Assembly session. One of the reasons I think that this is moving forward is that an endangered species, the Roanoke Log-Perch, popped up. **Dr. Cutler asked if he would object if the money came to VDGIF.** Not as long as it is real money and not just the authorization to spend money. **The awkwardness with VDGIF is that you have traditionally received money from license fees. To what extent do you get other funding?** Not much. **That is a handicap.** Yes. **Most of other state wildlife agencies get money from the general fund. You should too.** **Is Philpott used as a Public Water Supply?** The Smith River below the dam is. **Benny Summerlin said we have a 4 MGD water plant below the dam and withdraw water from the river.** Is there an in stream flow requirement? **Yes.**
- The Philpott Lake, VA (Section 216) Reconnaissance Study cost \$138,000, which was all Federal cost. This was completed and a FCSA executed in September 2006. The budget and appropriations to date are shown below. The study has never been in the Federal budget but rather funded to date by Congressional additions.

	<u>Federal Budget</u>	<u>Congressional Appropriations</u>
FY 2003	0	\$ 17,000
FY 2004	0	67,000
FY 2005	0	40,000
FY 2006	0	99,000
FY 2007	0	<u>115,000</u>
TOTAL	0	\$ 338,000

- The feasibility phase started in October 2006. The estimated cost is presented below. Sponsor's share can be cash or work-in-kind credit. The Federal and non-federal cost share of \$300,000 to \$400,000 each per year for several years is required to complete the study.

	<u>Estimated Cost</u>	<u>Federal</u>	<u>Nonfederal</u>
Phase 1	\$ 400,000	200,000	200,000
Phase 2	1,000,000	500,000	500,000
Phase 3	750,000	375,000	375,000
Contingency	<u>350,000</u>	<u>175,000</u>	<u>175,000</u>
TOTAL	\$ 2,500,000	\$1,250,000	\$1,250,000

- One of the things we want done is with the flows and temperature, with the latter issue probably easier to deal with. Their turbines are pretty old and will probably start smoking soon. We hope when that happens, we have the information ready to justify putting in more efficient ones. Currently base flow off of a small turbine which powers the facility is 40 – 50 CFS. The large turbines add 600 each, so the flow is either 50, 650, or 1250 cfs. There are no controls in between those flows.

- The current Work Group team status as of March, 7, 2007 is as follows:
 - The Natural and Recreation Resources basic team is in place (Other stakeholders are welcome)
 - Operating Policies and Administrative Procedures is combined with John H. Kerr team
 - Water Quality needs to be established
 - Water Supply needs to be established
 - Aesthetics is deferred until stage III
 - Shoreline Management and Erosion is deferred until stage III
- The work group selection process is to describe the work group's function and the desired skills necessary for work group participation' solicit volunteers and cost share partners recommend members, proposed work groups are submitted to the Executive Committee for approval, and the work groups begin consideration of tasks outlined in the PMP.
- Philpott 216 Study is a collaborative effort involving public, agency and regional stakeholders. Public involvement is a required element of the Philpott 216 and will follow a multi-step process. First, project principles will be developed and options generated. Public input will then be reviewed and preferred options generated. The planning teams will then refine input, propose alternatives, and determine feasibility. Then the process is repeated. There are Independent Technical Review and External Peer Review Teams.
- **Question: Read Charlton asked excuse me, but I am a little confused because I'm, but is Philpott, ownership of the Philpott Dam, reservoir, and surrounding areas, is that all owned by the state? No, it is all owned by the Corps of Engineers, the Federal Government, just like the Kerr Reservoir. Do they have restrictions on the docks and the, development around it and similar to Buggs Island? Yes, of course you can't develop within, inside their property boundary where their flood control level is, but you don't see near as much development on Philpott because of the steep sides. Benny Summerlin said the Corps owns all the shoreline, so there is no shoreline development. Chairman Poindexter added there is none. There are a few facilities that the Corps rents out or sponsors or something, maybe a few boat ramps, and I don't know there are 1 or 2 campgrounds. Yes, there are no new docks, I'm certain. You can't build on the land. And it is quite a bit, it goes back in some cases ¼ mile, ½ mile.... From the lake? Right. There are probably not more than a couple of dozen private docks and they are all grandfathered under their current shore management plan there are no dock rights. Right, they were there before the dam. What's there is very old, very antiquated. There are no marinas on the lake. There was The Twin Bridge Marina and the main structure burned I think about 2002 or so. The Corps has an interest in establishing marina services but they are looking for a private concessionaire to do that. So it is nothing like Gaston. No. You could be on Philpott this afternoon, and you may not see a boat. On weekends there is some recreational traffic but it is very pristine, very much a natural setting, as Bud said, it is a real jewel. Does it have any of the invasive, the hydrilla problems or zebra mussels or green crown. John Lindsey answered yes, I had communication going with one of the corps representatives out here at Philpott and she said that they do have hydrilla. I was getting information from Smith Mountain Lake group control program and she said the corps invasive weed people send me some information, she wanted to be info'd on it so she could work on her own hydrilla. Chairman Poindexter said which is sort of surprising depending, considering the depths, it is a fairly deep lake. Yes. It drops off pretty deep, pretty quickly in most areas. We have had our fingers crossed that that would be a prohibitive factor in Smith Mountain Lake because it is also fairly deep but this is even deeper in places. I haven't talked with anybody from the corps about it yet, I am going to be up there this afternoon and I can find that out. OK.**
- I think this is just an example of the kinds of things they will look at in the water quality group downstream and upstream of the reservoir. We are concerned with water quality issues on both sides. The Water Quality work group will review existing WQ data, determine WQ goals and objectives, evaluate applications of WQ models, prepare a SOW for additional WQ data if needed

and evaluate WQ effects of management option scenarios. Both downstream of the dam and within the reservoir will be reviewed.

- If you would like to be on the Philpott study list, please provide your name, address, telephone number, and e-mail to:

Contact: Richard H. Lewis
Plan Formulation & Economics Section
Address: U.S. Army Corps of Engineers
Wilmington District
Post Office Box 1890
Wilmington, North Carolina 28402-1890
Telephone: (910) 251-4755
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- Philpott (Section 216) Feasibility Study Web Page is at
http://www.saw.usace.army.mil/philpott_216/main.htm
- **Question: Mike McEvoy said I think you mentioned earlier the log perches, has there been evidence of log perches in the Smith River?** That's interesting because there are log perch above the lake, in the Smith River. In fact they have been found in Rock Castle Creek, but on the very lower end, which means they probably came out of the Smith River, because it is too small for log perch habitat. DGIF sampled the Smith River for, well it was about 1980 something, 25 years. We did not ever see any until about the last five years. They have existed in Town Creek which is the first creek that comes in below the dam right there at the bridge. They have existed there, a small population. That's about 2 miles, I think, below where the dam comes in. Then we don't find them again until the library in Bassett. Anyway from Bassett on down, in fact there are some even in the lower river below Martinsville, I think. We don't have a lot of information on how significant the population is. We usually go out every summer in July and get 6 or 8 spots to sample and might pick up 4 or 5 log perch, out of all of that. **Mike McEvoy asked how many of the rivers in the Roanoke Basin have you found log perch.** They are in the North and South fork of the Roanoke, the main stem of the Roanoke, below Niagara Dam on the Explore Park property there, in Goose Creek below Leesville, there are one or two in the Little Otter River, Tinker Creek, and in the mouth of Glade Creek. I don't think they have ever been found in Back Creek. They are in the Chestnut Creek which is a Pigg River tributary, and the Nottoway River, I am not sure how that worked out. There is a small population in the Nottoway River, there are a couple of tributaries down in, Stony Creek has some. **Read Charlton asks what about the Meherrin River?** No. **That's as undeveloped a river as there is.** Well there hasn't been a lot of sampling done there, but I doubt if there are any there. So that's basically where they have been found. I am trying to think, even Mason's Creek. A lot of times there are just one or two specimens.
- **Question: Barry Dunkley asked I was just wondering how many of these 216 studies has DGIF participated in?** The Kerr 216 and this one. **I guess the reason I ask the question is it seems sort of odd that you all would be the lead agency in such a study, I don't mean that derogatory in any way, but.** We weren't originally, let's see DEQ was there and I don't know how that changed. All of a sudden I got a letter that said you are over this.
- **Question: Chairman Poindexter asked you did state the focus of the study was from the dam downstream.** They are going to look at the whole stream and the reservoir but most of it is going to be on the tail of it. I mean that's where most of the concerns and issues of water quality and water supply have been, and in terms of natural resources. **We understand that, but some of the counties up above the dam, Patrick, Franklin, specifically and I think some others are I mean, we are sort of looking at that as a resource and maybe that should be included but I guess it's**

too late or whoever started this study never thought about it. Well, I don't think so, no, I mean it does include the reservoir plus the Smith River. It's not a basin study, it's a watershed study. So that does include, that's part of the watershed. Is that what you are talking about up above the dam? **OK, I didn't realize that, I had heard otherwise.** Dr. Cutler asked is the import of your question Charles the possibility of using Philpott Lake for domestic water supply in Franklin County. **We don't have any, I can't imagine using it in the next 20, 30, 40 years. That part of our county is not in the development radar right now, particularly.**

- **Question: Read Charlton stated you mentioned the turbine upgrade and electrical grid upgrade, where do you see that happening down the line?** It's just a matter of when they burn out. I thought that people would get turbines at 8 years old, but they are still holding together. Through the last 10 years they have had reoccurring problems with them, which to me indicates that something needs to be done. Of course keep in mind that would be at Federal Government expense, you no longer have any money right now, so they will try to hold it together as long as they can I'm sure. **How many turbines are there?** Well there are two big turbines, and then there is one in house turbine that they use to power their facility. But, I don't know 10 years, I don't know how long it will be before they go. **Mike McEvoy asked how often they are actually operating.** **You said there is a wide vary in the discharge, so what...Are they using for peaking...** Peaking during the day. On weekends they don't like to run the facility. It's mostly Monday through Friday. They have a number with a recording you can call to find out if they are generating. So fishermen call to find out if it is. You can't fish when they are generating, there is no way. So most of the fishing is done when there is no generation. This contributes to the reasons the Smith is so tough to fish. Since the water is low and clear, real clear, the fish can see you coming. **Read asked is there a restriction line across the upper end of the dam. I mean by the dam, to keep the fishermen away from the dam?** I am sure there are, I mean, I think there would be. I mean, you can only fish within ¼ mile or something like that of a dam. I am not sure what it is, but I am sure it's probably several hundred feet. **Dr. Cutler asked what about kayaking and rafting, is that possible below?** I have always been surprised that there is not much of that, of course, everybody wants to do it on the weekend, and they don't generate on the weekend. You are not going anywhere on the low flow. That is one of the issues that came up when we were talking about it. There are some guides that take groups farther down stream. **Benny Summerlin said it's mostly on the Lower Smith as there are a couple of outfitters in Eden, North Carolina, and they will come up as far as the Martinsville dam. They will put you in there and take you out down in North Carolina.** Bud replied at 1250 CFS with them running both turbines that would be quite a ride. If you fall out it's going to be cold. It is cold. Real cold, in fact believe it's too cold for the trout, it's just too cold. **Read said too cold for trout?** Mike McEvoy said when you mentioned temperature earlier you said it's too cold. **There are a number of issues one which is that it is too cold for them to grow efficiently. It's not a very productive system for non game fish dwelling to reproduce, and consequently the brown trout all they've got are a few bugs and stuff to eat so they don't get very big. Brown trout if there are not other fish won't get big. The mortality is really high on the river for some reason which I'm sure it has to do with the up and down. It's a terrible place for a fish to live. But they do pretty well, they are one of our better brown trout systems they just don't get very big. We think it could be a lot better, I mean trophy brown trout like it use to be years and years ago with some changes. Part of the problem is that, if you change the temperatures you've got to get the water from a different place in the reservoir than now which means big construction.** That's just the first time I have ever heard someone say it was too cold, usually it's the other way around its too warm. **Yes, it's just that brown trout like to be in 60 to 65 temperatures in terms of the most efficient growth and everything like that. However, the Smith is in the upper 40's, lower 50's most of the time. It just comes out right from the bottom of the lake or close to it.** John Lindsey said maybe part of that structure part might be to raise the intake closer to the surface. **Yes, I think the only thing, they can't really move the holes in the dam.** No but I mean they could put it up. **Yes, they would have to put in some kind of riser, or multiple level riser. I mean, it could be done, but it would be costly, very costly.**

- **Question: Read Charlton said their have been a couple of articles in the paper on fish kills in the Shenandoah, do anything about that?** Yes, unfortunately what I know about it is that we are starting to see it in the James. **Do they know what's causing it?** No, but we are starting to think it's a virus now that it is moving around and the fact that we don't have some of the water quality issues in the James that they have on the Shenandoah. We don't know that for sure, but there is a virus up in the great lakes called VHS (viral hemorrhagic syndrome). **That was brought in from the Black Sea.** I don't know but the fish in the Shenandoah were tested for that, and it was negative. **There was an article about pollution in the Great Lakes caused by container vessels that use water ballasts. They pick up their water ballasts and specify this containership from the Black Sea and they come in and when they get to the Great Lakes wherever they are stopping and they blow this ballast out. It has green crabs, zebra mussels, and this virus you mentioned, which comes out in that ballast water. So anything they pick up from the Black**
- **Sea gets dumped in there.** Yes, so now the James is not near as bad as the Shenandoah, it has been on the Shenandoah 80% of the fish will have lesions and fungus and stuff on them. To be honest with you, we just got home last week, and we just started seeing it. The weekend before last we started having fishermen call us. We had been out, 2 weeks before that, we had a phone call about Lick Run, which is right below where Cow Pasture comes in, where 220 crosses the James. We found about 20% of the rock bass and red breast had some kind of sore or something on them. This is higher than you would normally expect, but in the Shenandoah it's more like 80% the small mouth bass were fine. I mean, about two weeks later we started getting reports of dead fish in the Eagle Rock area. **Dr. Cutler said that is kind of an emergency, isn't it? I mean it sounds like it's a real crisis for the game department.** Well, yes. It's a nightmare. **John Lindsey said Bud, could it be related to the pfisteria that they had down in regions of North Carolina earlier on?** I don't know. I haven't been out there. **They traced that back to some of the hog farms and stuff.** Really? **At least that is what I heard.** Anyway it's gotten listed now, we're having this tested and everything, we check them for viral, and they were negative. But there could be some other unknown virus.

VRRBAC's Mission:

Chairman Poindexter said I would like to move on to the discussion of our mission. Over the last year or so I guess many of us have had some concerns over one of our main functions which is to work with North Carolina. That has not happened for whatever reason. At the same time this group has been from Floyd all the way to Mecklenburg. During a lot of meetings we've worked with State agencies and others to look at the issues which include invasive species, wastewater plants, water supply, Brownfields, etc. We have developed quite a bit of expertise up and down the basin. While the process in North Carolina is maturing further it has been suggested that we could be contributing in a different way. So what you requested me to do is to put some time on the agenda just for general discussion of that and what I task you to do is to present any ideas that you might have to bring in to that discussion.

- Ann Austin stated the one thing I have to say is to make sure that you again identify the fact that there will be no inter-basin water transfers. This is the one thing that Congressman Goode really is insistent about. **Chairman Poindexter replied yes, that would be a fair comment and I didn't mean to give the impression that we were straying away from that.** Oh, you didn't. Just broadening our scope. **Excellent comment.**
- John Lindsey said there is an interesting, court case coming up in North Carolina and South Carolina but primarily in North Carolina. They want to take water out of the Catawba Basin, which originates in North Carolina. However they want to get it out after it flows into South Carolina for a couple of cities down in that area. It is being challenged in court, and there is a move in the North Carolina legislature to develop a law against inter-basin transfers from North Carolina. So it might be a good idea if we can keep our oar in the pond, so to speak. It may come around where they are more willing or able to work with us. **Dr. Cutler replied so they have the same issue with South Carolina as we have with them.** Well the law that North Carolina would pass would I guess could only affect North Carolina. **Senator Ruff stated didn't they say that it only dealt with a specific area. So they are not talking about blocking in a basin, state wide, they are just talking about**

blocking it for a set number of counties. Is that the way you understood it? You probably know a lot more about it than I do, but the information that I had was that it would be a generally a statewide policy. There is a citizen's group working on the Catawba Basin issue, but the move in the legislature was looking more at a basin wide area. **Basin wide, but not state wide.** No, the legislature would be state wide. **Mike McEvoy said I believe the current rules allow you to do a transfer water out of a basin as long as you put something equivalent back. So it has to be, but I think the issue there is you can take out fairly clean water and then return whatever, so as long as there is no net change I think that's what they consider appropriate.** Dr. Cutler commented quantity has to be matched but not quality. **Right.** Read Charlton said I wonder if there's a possibility of getting someone up here at our next meeting or the next couple of meetings, to go into some more detail of the legal matters and North Carolina regulations. **The status of that state legislation in North Carolina.** Yes. **Does anyone know the term, when does the North Carolina legislature meet? Now?** **Ann Austin indicated that it goes on and on. I mean it's not 6, 8, 10 weeks. It starts out that way but it just keeps going.** Chairman Poindexter said that he thinks the suggestion is good except we need to do that after they complete the legislation, so we know what they have done, rather than before the bill gets amended or doesn't get passed or something like that. **John Lindsey stated some of the RRBA members are familiar with Lucy Allen, who is a local representative in the North Carolina legislature and she has met with the RRVA. If you like I can ask them to explore the possibility of having her meet with us.** She was one who was trying to put together the coalition earlier on. **Mike McEvoy stated Greg and I went two years ago down to Roanoke Rapids and talked to her.** Chairman Poindexter replied that's a citizen, right? **No, she's a legislator.** We would want a legislative assistant or someone that knows the exact bill that was passed and can talk to the logic and what was behind it, and why it went the way it did and that sort of thing. If she is a member of the general assembly or whatever they call it, North Carolina, that would be a good contact to make.

- Dr. Cutler said at the Environment Virginia Conference at VMI in April, I met someone who has attended these meetings in the past from North Carolina, Bill Crowell, Director of the Albermarle/Pamlico National Estuary Program. He told me that they are funded by the EPA. The EPA's support for their program is being cut even further and he doesn't have much staff to begin with. So there is not going to be a lot of support or interest available from the Albermarle/Pamlico National Estuary Program to work with us. He was understanding of our frustration in not seeing a North Carolina parallel organization and associated appointment of delegates to a joint North Carolina/Virginia effort. It seems to me given the track record of the last couple years, and the lack of response from North Carolina, which we understand perhaps a lot of that is due to position we've taken regarding opposition to inter-basin transfer from the Roanoke River into North Carolina communities, that at least in the interim until that relationship with North Carolina changes and North Carolina, if it ever does provide a counterpart organization to meet with and do joint planning, that there is a lot to be done on the Virginia section of the Roanoke/Staunton River that we can do by ourselves without constantly feeling frustrated and irritated by the absence of a North Carolina counterpart. So it seems to me in addition to our underlying concern regarding inter-basin transfers, we need to take a more positive approach on that section of the river that is in Virginia. Perhaps we could host sessions that would lead to the creation of a vision for the Roanoke and Staunton Rivers in Virginia. It would be a very positive undertaking. We have the Upper Roanoke River Roundtable, county comprehensive plans, various AEP and Corps of Engineers management plans for reservoirs, conservation plans for farms, involvement of the US Natural Resources Conservation Service, the state agencies, DGIF, DEQ, and DCR, which is concerned with non point source pollution. In short, it seems to me we could be the host or sponsoring agency for a conceptual plan for the Roanoke River in Virginia, that would integrate the planning that is being done on more of a piece meal basis up and down the river. It might be the way to attract more public awareness to the Roanoke River. We all think the Chesapeake Bay Watershed gets a lion's share of attention and funding. People in Roanoke, we drive home to Roanoke from Richmond or Lexington or someplace and the sign says you are leaving the Chesapeake Bay Watershed. It does not say that you are in any other kind of watershed. It's like you're going off the edge of the earth or something. We need to let people know that there is a Roanoke River Watershed. So it seems to me that whatever modest extent that we are able to do this, the knitting together of various county comprehensive plans and watershed plans and so forth would be useful if for no other reason than to

highlight shortcomings in water quality issues and to provide opportunities for grants and other recognition. For example Franklin County is into a purchase of development rights program to acquire and keep working farms. The Virginia Outdoors Foundation has a conservation easement program that could apply throughout the watershed, with more attention being given to it. There is a Roanoke log perch recovery plan that's on paper but it seems to me as I understand it the main threat to the Roanoke log perch is silting of its gravel spawning bed. The silt comes from erosion and silting from both construction and agriculture and other sources. In other words, if we focused for the time being on the Virginia section of the river, and developed a more integrated approach, primarily for public educational purposes it might give us something to sink our teeth into. **Ann Austin mentioned what he said about inter-basin transfer and stated that Congressman Goode's concerns about inter-basin transfer applies to Virginia also. We've been fighting that for 20 years as and it didn't work so I think in Virginia also not just North Carolina.** Yes, I agree. **Evelyn Janney said the Farm Bureau is also opposed to the inter-basin transfer.** Senator Ruff stated at the last Roanoke River Basin meeting there was a discussion of a River Keepers program. There was some mention that one individual who has the expertise probably could not look out for the whole basin. But I think whatever we do, we ought to take those beginning steps to look at it in that context. Even if it is a two phase program, you start in North Carolina and finish in Virginia, or expand it to Virginia, as Bud showed sometimes it takes a while to raise enough money to do things. So we need to start thinking about it. Going back to what you said I think that if you focus on what you are trying to accomplish, lets say clean water, that may be an easier way to bring all the parties to the table than saying hey we're going to have a master plan that we are going to try to force down your throat. **Dr. Cutler said that's fine.** Read Charlton said Senator you mentioned the River Keepers, isn't there a River Keeper for the Staunton River? John Lindsey replied **no.** He continued there is one for the James. There is not one for the Roanoke River in any part of Virginia or North Carolina. There is interest in trying to implement that kind of a program. It has to be sponsored by a non profit organization and is a franchised position. They specify the training and everything that this individual has to have in preparation and , the entry, the Roanoke River Basin Association that Senator Ruff has mentioned... **Is a River Keeper a paid position?** Yes. Dr. Cutler mentioned there is a national association that watches over the use of that terminology, and buy into their program. **Does the Rappahannock have a river keeper.** I'm not sure, it probably does and the Shenandoah does. **Dr. Cutler stated when Frederick donated the conservation easement on the Rappahannock to the DOF and got support from the inland fisheries and the nature conservancy, I think part of that deal was to have a river keeper on the Rappahannock.** John Lindsey said virtually all the rivers in North Carolina have one, and many of the rivers in Virginia have one, so I can't say for sure. **But the Staunton River doesn't have one.** No, no sir, no, it is part of the Roanoke

- Bud LaRoche said I am just thinking back to the sediment issue in the FERC re-licensing at Smith Mountain Lake. It is an issue on the Blackwater and the Roanoke. One of my comments on the study they did is everybody talks about best management practices and the erosion control laws and all these things have been in place for years and years. It's making some difference but not enough, evidently. This is on a smaller scale from Smith Mountain upstream, but there needs to be a body, somebody to take control of that situation and get tougher on folks because it's not working now. There needs to be some group of people that are going drive that thing whether it's legislatively or not. I think AEP needs to be involved. If we just go along the way we have been going it's not just going to improve. The lake will continue to fill and streams are going to continue to erode. There needs to be a lot of riparian work done to stop that kind of stuff. I mean you're the one that's brought up before I think a lot of sediment comes from the stream banks. A lot of work needs to be done above Smith Mountain Lake. **Chairman Poindexter said I don't see it any different there than anywhere else in the basin.** No, no, it's not. It's a basin wide issue. **Greg said it's a statewide problem.** Chairman Poindexter stated DEQ has a formula when they go in to a TMDL on five miles of water stream, that can pretty much tell us how many homes don't have working septic systems. They come up with a number of 19 on one, and guess what, there were 18, so that formula is pretty good. **Bud continued there needs to be an effort to improve the erosion control the laws and actually going out there and making sure they're doing what they're supposed to do. I mean, the counties only have one or two people. Even the study showed that half of the receptors aren't working out there. The first heavy rain and that's it. It catches some of it and after that...** Dr. Cutler said you mean the silt fences? **Yes, yes all that stuff. If**

you don't maintain it, after the first rain it's not doing you a whole lot of good. So just stuff like that. People need to decide whether they want to make a difference or not. I mean it's going to cost money, and it's going to maybe require more stringent laws, fines and things like that. People don't like to hear that but that's what it's going to take. Senator Ruff said but I would agree with the Chairman that education comes first, because if you're trying to force anybody without them understanding why you are trying to force it then it makes it much more difficult. If the general population understands that there is a water quality issue in the basin, that it's not something 100 miles away from here, it's here with us, then they are more likely to say, yes we all ought to be working towards that. **Chairman Poindexter said it goes back to the elementary schools. That's where we are going to have to break the cycle. I mean we are going to have to train the kids on what the habits are that we've got to change.** Dr. Cutler stated I think we can take a lesson from the Chesapeake Bay. Everybody is aware of the declining productivity of the Chesapeake Bay fisheries and shell fisheries and crabs and oysters and all the rest and the connection to excess nutrients and silt all on the rise. The same kind of program could be provided on the Roanoke and Staunton Rivers from the standpoint of a decline. I'm sure Bud can document it with the fishery and the potential economic benefit's associated with a very productive fishery, recreational use of the river, and tourism associated with that. So you work back from what the potential of the river is and what we've lost and what we could regain with a well managed watershed to provide a reason for more attention to the management of the land and reduction of the erosion and siltation and excess nutrients and all the rest. However, we need more than a class in environmental education. I spent the last 50 years working in environmental education. I was the editor of Virginia Wildlife in 1958. I was the editor of National Wildlife in 1962. I have been working on this damn stuff all my life, and the quality of the water is getting worse. We need to get pretty serious about what we are doing. **Evelynn Janney said there is a program that has been developed and we are working in the classroom using agriculture as a base to teach about soil and water conservation. I don't know enough about the program to know everything that's in it, but I know there is something on fish, on forestry, and other aspects of it. I think in the classroom is where it's got to start. If the children learn it, they are going to take it home. Hopefully if they see family members doing things they shouldn't be they are going to remind them of it. Just like the seat belt thing. Sometimes I despise that old seat belt, but there are two little ones in the back of the car saying Gran Gran put on your belt. We can't move until you do. That started with the children.** That is how the extension service got started. The cooperative extension 4-H programs, 4-H kids took the better seed home and planted them in the home garden and there Dad saw that it worked better than the variety he was using. That's how 4-H applied itself to being used on the whole farm. So you are right about that. However Bud's saying the situation is bad now. If we want to improve the fisheries we need to enforce the laws that are on the books to start with. **Or maybe get rid of some and put better ones there.** Well, whatever it takes, we need some action. **Mike McEvoy said we are all essentially volunteers. Everybody has a regular day job and other things going on. Maybe our action on the education piece could be to see who else is doing this kind of activities. I know up and down the basin, soil and water conservation districts, the ag thing, the organization I work with provide this service. Maybe we can find out what their needs are and then be kind of the lobbying arm to get them more money to do it and that's the key. I mean we are not going to be able to go out and provide these services, probably, with a group of volunteers like this, but maybe our goal could be to get them some resources.** John Lindsey said could we be sort of an umbrella, a coordinating agency and invite representatives from all of these appropriate agencies, up and down the basin to meet with us and so that we can kind of bring it on board together, and then do what we can to help them. **Thinking back, I think that was part of our original charge to provide some unity. I mean the basins huge let's face it, we are talking about a fairly large land area, going up and down the basin. I mean it takes a good 4 or 5 hours to drive the entire length of the basin. From the top to the bottom, it's a good drive and initially we did that. We had a number of meetings early on in different parts of the basin and had a pretty good interest. We need to strive for that direction, to unify everybody.** Chairman Poindexter said one thing we could do is sort of put a presentation together that says, this is where we are at and this is the opportunity, a vision, was it Rupert that used the word, a vision for the future. A conceptual view. Here is where we are and these are the things that we would need to do and here is what we would end up with or something like that. **Read Charlton asked is this Dan River Basin Association**

headquartered in North Carolina or here? North Carolina I believe. Barry Dunkley stated yes the main office is in Eden, North Carolina. They have teamed up with the Martinsville trail group and they have a project coordinator here in Martinsville that handles the Martinsville trail issues and so forth. So they are sort of a partnership with the Dan River Basin but remain somewhat separate. **Read said isn't T. Butler, is he, isn't he the secretary.** Yes, Lindsey Butler well no, the just elected a new treasurer. He was the initial treasurer and he also has been appointed to the North Carolina equivalent to this commission. **Mike McEvoy asked are they associated with the Roanoke River Basin Assoc. or is it completely separate?** No, they were formed as a recommendation of the Roanoke River Basin Assoc. which initially, their first director was from North Carolina, but they associate with the Roanoke River Basin and they do, as I understand it, some of the members attend those meetings but it was a split off to just address the Dan River Basin. **Read said I wonder if it might be a possibility that, Mr. Butler, or somebody in his capacity might be amenable to coming up to one of our meetings.** I think Mr. Lindsey Butler; I think would welcome an opportunity to present what his side, what he is looking at. They are looking at the entire river basin of the Dan River Basin they just happen to, he lives in North Carolina, but, he is retired professor from Rocky Mount Community College and he has studied the Dan River in Carolina and has written books on it. He has a very good knowledge of the Dan River both in Carolina and in Virginia. Primarily his interest is in North Carolina but he did tell me last time I met with him that he had been appointed to the commission, and they had not met yet. He said he had been appointed to that, to the equivalent to the commission we have here in Virginia. That might be kind of an entry point for us. I think it would be a good point to start, it really would I think we would benefit a lot from his perspective and what Carolina is doing, if in fact they have met yet. Yes, yes he had a brother or someone else, there is Butler that is on the... Yes, his wife is very active in that organization also. They are both stepping aside now. They were the cog that got it going, and they are stepping aside and trying to pass off the functions to other people so they won't, they don't want to rule the organization.

- Chairman Poindexter said one thing that is on my mind is that we have at least 4 members of the committee that are not here today and I am not sure that I want to proceed into making a decision on what we are going to do this until we get some ideas of theirs. I think that would be premature.
- Dr. Cutler said changes in legislation usually require the support of advocacy groups, grass roots citizen advocacy groups, private groups and not groups of bureaucrats. If we are going to have political support for whatever we define as our mission and our goal, we are going to have to obtain the active support of advocacy groups. Whether they are the Float Fishermen, Trout Unlimited, Ducks Unlimited, Isaac Walton League, Sierra Club, the Farm Bureau, or whoever. There are a lot of potential citizen groups that are active, more active probably in other watersheds, but they are statewide or regional. Part of our job is to rally these kinds of advocacy groups to support our goals here. Bud probably knows the list of potential fishermen, hunters, birders, canoeists, kayakers, and others like tourism, regional and local tourism. Economic development groups that represent the private sector and people who can speak out both from a legal standpoint and from an emotional standpoint, on behalf of improving the river better than we can, because most of us are associated with government. So the development of a parallel private advocacy group for the Roanoke River is probably something we could put on our list to do.
- Senator Ruff asked Greg, do we have a side by side comparison of the quality of water up and down the streams, say now and x number of years ago, something that is easily a one sheet thing that could be produced and used as a selling tool? **Greg replied I would say that there is not. However we may be able to do that. The problems have changed a lot in the last 30 years going from when we cleaned up a lot of the industrial and municipality type of discharges. Now we are getting more and more sediment. Sediment is probably the biggest water quality problem in Virginia. So, the problems have changed.** If you want the public, whether it is local government or citizens to be engaged in this, they have got to visually see what the issue is. We can make this argument all day long, but if you can't quantify it most people it's going to go over their head. The second point, going back to your education thing, most of the high schools now have an environmental competition team and I don't know if DCR does anything with that or who's in

charge of it, but if we could figure out how we could get all the teams in the basin to focus on the number one issue, that's sediment and erosion, and get next years competition to be focused on that one issue, rather than identifying this thing or that. But, rather kind of focus towards what we want them to work toward. **Mike McEvoy commented you said competition, are they just competing in various competitions or is there a statewide one, or...** They meet district wide, then regionally and then state wide. **Chairman Poindexter said individual schools, school divisions, and on up.** Read asked is this is at the high school level? **That is the high school level. Well there is a middle school program but that's...** Mike McEvoy asked what agency is helping to kind of coordinate all that, or what group? **Greg said DEQ has Virginia Naturally, I guess, our education department and Dean, you guys have an education component don't you?** Dean Gall replied locally, we encourage the local soil and water conservation districts to organize and put on environment focus. **Chairman Poindexter replied just like a science fair, the old science fairs that some of us remember.** Yes, okay. **Read stated that's an excellent idea.** It really is. **Senator Ruff said the kids love it but if they are not focused they're going to go off in 20 different directions. But if you can try to narrow the focus down to one realm.** Dr. Cutler said there is a Governors School for science and something else in Roanoke and its really high tech science that those high school students are involved with. We could encourage the science; they are like professors at the governor's school. **Mike McEvoy said I'm not sure if they are competing in this competition as this is the first I've heard of this, they do have a regional science fair competition and you see a lot of environmental related projects but it is not just the environmental it can be any science.** Read said so to focus on environmental problems for the Staunton River, identify key students in the high schools. **Senator Ruff stated they'll self select themselves, those that are interested will get involved.**

- Chairman Poindexter said lets go back to the senator's comment on then and now data. Does anyone know how hard it would be or who we could ask to put something like that together? Here is the Roanoke River in 1950 and here it is in 2007. **Dr. Cutler said I think what Greg is saying is that it is better now. I mean in 1950 you are getting a lot of junk in the river from the rayon plant for example.** Ann Austin said industrially its better, but sediment-wise it's not, am I correct Greg? **Yes.** Chairman Poindexter said that's a two page chart, the one that shows it all, then you flip the overlay and it shows the point solution basically being solved or we ll along the way and then we highlight the non-point problem. **Mike McEvoy replied I think the problem is, you are not going to find much data because the issues were different in 60s and 70s. I'm not sure sediment was really a focus as it was these point discharges. I think you are going to have a hard time finding the data.** Chairman Poindexter stated well let me back up to the Smith Mountain Lake study; they showed that the sediment problem while we have always had it has become much worse in the last 20 years. So lets go to 1990 and I wonder if there is enough information around that we could do a then and now for only fifteen years or 17 years or something. **Mike replied one thing you probably could look at is, and I am not sure where we get the data, just land use changes over that time period. Obviously the basin has grown and there is a lot more developed land than there use to be and you could look at those differences of land use, before and after kind of thing. That's really what, if it's not the construction activities themselves, it's the storm water that comes off of the developed area that is eroding the banks, I mean it's really just those things.** Dr. Cutler said show where the best management practices are being used in forestry operations. **Chairman Poindexter said okay.** Bud mentioned that several years ago there was a document produced by Friends of the Rivers of Virginia (FORVA), a report on the status of Virginia's rivers. It was a pretty impressive document. I think it listed all the impaired waters or something. In terms of an educational thing that was pretty alarming to look at it. **Read stated that was a long study. I mean it's extensive . He was more concerned about, like a one page sheet that was going to focus in on...** Right, right. **Senator Ruff said well if you get the data to do that we could create the one page.** Yes. **Bud said in terms of an educational tool, it was a pretty impressive, of course I think funding restricted it to a certain number of copies.** Dr. Cutler said if we can come up with a case statement for something specific like that we would like to do, the Virginia environmental endowment, might put up some money for it.

- Chairman Poindexter said okay, we have tossed some ideas around. Remember we do want to get our other 4 or 5 members ideas in, but we have got some good ones on the table here now I think. Then we'll think about what we might want to do for the next meeting or just where we might want to go. I didn't ask you to summarize that, I know you can't and I can't either. Maybe we can pull out a few things. We talked about education, we talked about working with the schools, what have you got in your notes there. I can't remember it all. **Dr. Cutler said while he is looking I was pleased that we did seem to identify the major environmental issue in the Roanoke River and that's sediment.** Yes that's a major point. We discussed river keeper and advocacy. **Greg said Ann brought up the stance on inter-basin transfers, then John Lindsey talked about the court case down in North Carolina and South Carolina where they may have a little different view point and perhaps making that a statewide policy.** Chairman Poindexter said that was North Carolina legislation, to see what they are doing, at the end of their session. **Greg replied right, then Read brought up that we should explore getting someone to come up here and speak to us about it, probably Representative Lucy Allen. Dr. Cutler basically summarized his idea that you have a copy of, that we be an advocate for a coordinated program, of sound watershed management for the basin.** Chairman Poindexter commented with the major thrust, sedimentation. **Yes, then the educational input. We talked about River Keepers, and at the end you talked about putting a presentation together saying this is where we are at and...** Chairman Poindexter interjected this is where the watershed is at. Trying to see if we could do a comparison of 15 to 20 years ago, if that data is available from state agencies. I guess that is the only place it would be available. Even 10 years ago, would probably be good. **Greg said that we would probably have better luck looking back 10 years.** Okay. **John Lindsey said well you've got the water quality program at Smith Mountain Lake that is going on.** Dr. Cutler stated there seems to be a lot of interest in working with schools and perhaps at our next meeting we could think about inviting appropriate representatives of school systems. I'm not quite sure whether it would be someone from Richmond involved with SOL's or people involved with local school systems or DCR that have something to do with this science competition or environmental competition program. We need to see how we could tie in and influence the subject to be concentrated on in these high school environmental competition programs. Try to establish a relationship with the school systems. **Chairman Poindexter said Greg I think that would be to try to find someone with in the Department of Education in a curriculum side of the house that would be aware of that and see if we could get some input from there.** Greg commented I know this year that the Department of Education has a series of grants out and DEQ's educational person has been working with them and we have even gone out to Montgomery County and worked with one group there where they are teaching kids how to monitor the watersheds. So I can talk to our environmental education coordinator. I'm sure she can point me in the right direction to find somebody. **Chairman Poindexter said Bud brought a point up about working towards the enhanced enforcement of what we have on the books now. That point needs to be in the minutes.** Dean Gall commented that the Governor has empowered the soil and water board to take the local soil and water erosion and sediment control programs much more seriously and so as of the meeting, which was last Thursday, programs that do not score well or were inconsistent will go before the board. There will be, there is a process of which the board will go through in these localities to get their programs to be ranked consistent. I think as Bud has mentioned we have had these laws for a long time and a lot of these issues have drug out over time, but this Governor, this administration, is powering the board to take actions and so things will start happening. Hopefully this will improve the process.
- Okay so we will try to get that together and get some of these in for the next meeting. The other thing I want to make sure that we get something to the members who are not present today with this information in it, if you don't do the whole minutes, if you can just summarize and I will work with you and we will get them a letter. Cause I want to get their ideas to with this 4 or 5 members that are not here today. **Mike McEvoy said I was wondering between now and our next meeting and I know we don't have really good email response but, given that we have a lot of our committee missing maybe we could, , solicit everybody to turn in three ideas as for the direction of the group. If you haven't already provided something you want us to look at, and maybe at our next meeting we can kind of take a look at all those topics and see where we want to focus our time.**

- What else would anyone else like to do today or put down for the next meeting? We need a location. **Evelyn Janney said you can always come back to Floyd.** John Lindsey said if we are going to try to get Lucy Allen to meet with us then we ought to plan on meeting somewhere down in that direction rather than, with all due respect Ms. Janney taking her all the way up into the hills of Floyd. **We're not far from there now.** Or maybe back to Danville or somewhere in that area or, at least somewhere that would be fairly convenient for anybody from North Carolina that could come. Her district is somewhere around Roanoke Rapids. Chairman Poindexter replied alright, we'll see what we can find. Is there a real consensus where we should go? **Senator Ruff said well, if you are going to focus on Ms. Allen then we probably should be in the east. If you are going to focus on the education part, then I don't think it's important. The school systems are broken down into districts. District 8 goes from, would include Brunswick through Halifax and through Buckingham and that area, there would be one that would be Martinsville, , , Danville, the area you live in, and if we are going to get somebody from the department of education it would be nice to get someone from each of those two districts, science coordinator from one county so that you get some real life conversation, not a bureaucrat.** Read Charlton asked what about that conference center at the Buggs Island dam? We have been there a couple of times though, haven't we? **John Lindsey said right now, route 4 across the top of the dam is closed for construction on the dam, I don't know when it's due to be reopened, maybe you do sir. It makes people in North Carolina come a long way around to get to it, until that road is opened. Maybe you'd want to try to meet in the western end and the school districts in summer when they are out of school, and then we could try and do something with North Carolina in the fall. It's the chairman's prerogative.** Greg said Halifax Co. has a good meeting facility too, according to Jerry Lovelace. **Chairman Poindexter said what are the thoughts on Halifax? Have we met there before?** No I don't think we have, have we. **Chairman Poindexter said is Halifax, from the educators' point of view is that okay. Okay lets see what we can find somewhere in the Halifax/Danville area in those vicinities. Then in the fall we'll take our skis up to Floyd. Okay, when is the committee's preference, how long from now do we want to take, this is May 21st, August, September, we probably ought to do it in August if we are going to have any chance of impacting any curriculum this fall. August? Chairman Poindexter – We'll poll for some dates in the last half of August, before school starts again.**

Potential Brownfields Meetings to be hosted by VRRBAC:

We are talking about item #7 on our agenda. I will give you a second to take a quick look at that letter in your packet. Okay I believe it was meeting before last that this idea was suggested. What I heard and what the committee heard was that we were impressed with DEQ's sort of shift in policy, in that now it was possible to get into and possibly use some of the industrial sites around the state. We felt in a lot of our smaller towns and communities where maybe back in to 40's or 50's we had some industry or 60's and it's gone away that maybe it was a better idea to try to reuse those old industrial sites today rather than chewing up additional land. Also it would be a help to the environment and water quality, so the idea was to send a letter to many different local government organizations and stakeholders throughout the Roanoke River Basin to make them aware of the changes in DEQ policy and especially the reduced time and liability issues that have been resolved and see if they would be interested. **Dr. Cutler said we can show you a number of brownfield sites in Roanoke, it's a pretty active program.** Chairman Poindexter replied I've noticed it in some of the larger communities, the idea here was that some of the smaller towns have not, not to leave out the larger cities or towns at all but, anyway just trying to encourage what's going on. **Senator Ruff said I think to some degree, that it's money driven and there is not a whole lot of money dedicated to this. In my thinking, we are probably putting too much money in some other conservation easement type programs. The goal there being to protect forest, and open land and all this kind of good stuff, but if we don't use some of that money for this type of program then it drives industry into going into territory that they don't need to be in. If we can generate some support for this program, as we go into the next budget cycle, we can try to get some more money focused on this rather than just looking at one side of the issue, but looking at both sides of the issue.** Dr. Cutler said I couldn't agree more. Using Brownfields is much better than using green fields, which are virgin land, farms and orchards. **Chairman Poindexter what I think I heard the good Senator say was that if we can get some interest in some of these communities then that would help funding flow into these areas. Is there any objection to this**

letter going out? Greg replied actually the letters already gone out. We sent this letter on May 9th to about 60 or 70 people that I was able to put together in a list going to every locality that I could find an email address to. I tried to hit the city managers, the county administrators, the economic people and industrial development authority people wherever I could find an email. I ended up with about 70 people on the list. If you all know of any other people that I need to get this to, or you can get it to, I would appreciate you forwarding it on, and then the email what I basically asked them, I kind of summarized the letter in the email and I also asked them if they would be interested in attending a meeting, hosted by us, to talk about Brownfields. We would get the people from Richmond to come down and talk to everybody. So far, I have had about 5 responses back to me. It went out May 9th and here we are May 21st so about 12 days ago, and it takes a little while for people to even look at emails and get back with you but.... **Mike McEvoy asked where were these at. I mean those responses were they throughout the basin?** Two were from Salem, one was from Bedford, I think one was from the Halifax area, and one was from Appomattox. **Chairman Poindexter replied good.** Greg- Okay, so what I was saying about doing perhaps next week, one day is, I have a couple of people who said they would try to help me, call some of these localities and if we can get enough people that would be interested, get enough people to come together for a meeting, we could hold a meeting somewhere around Halifax. I've already talked to Jerry Lovelace about holding a facility there and he's reserved the 14th. We would have to have the meeting by the 15th so we could take the money out of this year's budget. We probably have about \$1,000 left in our budget, to hold a meeting, I'll have to have it the 14th or 15th so all the accounting can get through by the end of the fiscal year and the money be taken out of this year's budget. But if we can get 10 people, 15 people interested, you want to go ahead and have this meeting? And my other question to you would be we can talk about Brownfields and Charles and I have talked about this a little bit but there are some other topics that we could talk about also, while we had people in the room. Or do you think it would be better to just focus on Brownfields and leave it at that, instead on bringing up other environmental topics? **Dr. Cutler said my reaction is to focus on one thing and do it well.** Chairman Poindexter commented if the opportunity presents itself, I don't mind adding at the end, oh, by the way, we've finished a few minutes early let me tell you what's going on over here. But, certainly the focus is on why we advertised the meeting and why we asked them to come there and do that quite well. **Mike McEvoy said Greg, if you want, I might be able to round up somebody from the city of Roanoke that's working on these issues in the city. I know they have gotten a number of grants lately, if you need it kind of a case study kind of, then, I will talk to Brian about finding somebody that would be willing to go down and talk.** That would be great. **Yes, they have been pretty active and in fact they just got a million dollar grant** Dr. Cutler said there's another subject that we could talk about in more detail than we have in the past. We have talked about it in general. That is purchase and development rights. Franklin County has a PDR program and you could host a meeting in Franklin County and talk about how that serves this committee's goals of keeping land as working farms and forests. Chairman Poindexter asked we didn't get many calls from some of the smaller towns up and down the river, did we? That's where I would focus the telephone calls. Roanoke is aware, Salem is aware, okay Bedford a little larger and I was thinking some of the smaller places. **Greg replied right, I tried to get at all of them and in the email I asked the PDC's and the larger cities to get their towns involved, so when we make some phone calls we will try to concentrate on them and maybe even start contacting the PDC's and see if they can give me people to speak to and maybe do some of the calling for me.** Chairman Poindexter said they'll know a lot. I'm just saying as I go up and down the basin, I find that, oh, did you know there was this little thing over their in 1948 and this one in 58'. I have found dumps that were closed in the 50's, basically a couple of landfills. Some of them are in surprising places. Having a landfill in Franklin County that we are on a program with all the wells and the monitoring and seeing what Roanoke County is up against, what \$400 or \$500,000 each. Dr. Cutler commented Roanoke County had to spend like 7 million dollars to close one landfill.

Other Business:

- Barry Dunkley said I would just like to share some information and make sure you are aware of these things. A lot of the planning district commissions (PDC) here in the state are doing this water supply study that's being required by State law through DEQ. The West Piedmont PDC is doing one which is a regional plan to include Patrick County, Henry County, Pittsylvania County, the cities of Martinsville and Danville. Franklin County is going to go with the adjoining PDC from there, but anyway the first phase of that will be completed in June. West Piedmont will be done in three phases, just to ease the financial burden. The other thing is DEQ in the Roanoke River Basin is addressing the impaired segments of the Dan River, and I am on the steering committee for that.

Also there has been a lot of attention and legislation given to biosolids, particularly the land application of biosolids, which a lot of the localities in Southside participate in, Danville being one of those. They are setting up a study group, as required by legislation, to look at biosolids and land and all the issues associated with land application of biosolids. I will throw that out because that is something else that can impact water quality. If it is done properly, it should not. There is a lot of activity and particularly activity against it, as much as anything. There was a lot of activity in this year's legislature about biosolids, storage thereof, and land application.

- Also in Danville through our VPDES permit issued by DEQ we had to do a river assessment downstream of our discharge, just to make sure that we didn't impact the quality of the water in the Dan River and we have 12 years worth of data, now on that particular, which includes about a 15 mile stretch and a lot of people don't know that data is available, but we ran dissolved oxygen temperature, conductivity, , The dissolved oxygen is what we were mainly concerned with, but unfortunately during that study we never operated at our full loading. Our plant is a 24 MGD plant and we are now treating less than 6. We have a study going on now to see if we can improve efficiencies and change any of the processes to be more efficient and cost effective in the operation of that facility since it is such a large facility and treats such a small flow.
- **Question: Read Charlton asked is there any evidence that biosolids are not, I mean are a threat to your water supply?** No, all of the research done so far has indicated there are no health impacts of the biosolids. The issues are threefold I think, for the people that oppose the land application of biosolids. First, if it's not treated properly it can have some odor. However, if they are treated properly the odor ought to be minimal, just like any fertilizer additive; all of them have some odor. Many of the opponents of it say biosolids impacts health. Again there has been no verification of that. The last thing is increased truck traffic which I can certainly understand. In years past what we have tried to do is to minimize that impact by not selecting sites in urbanized or subdivision areas. However, as you well know that is becoming harder and harder to do because our farm land is being developed into subdivisions. So to find farm land that you don't have to drive through subdivisions is getting to be very, very, difficult. This study commission that they are setting up, will look at all these things, and there is continuing study in the land application of biosolids being done by the EPA and also by the Water Environment Federation is funding research for that so they are continuing to study the impacts of biosolids. So far there has been no health impacts associated with biosolids. But the people who oppose it always throw that up and they have no proof. **So the 3 issues are odor, health and traffic.** Yes sir. But the health claim has been primarily unfounded. Now some people that have sensitive respiratory systems can be irritated. It's just like the pollen. If you have a sensitive respiratory system, and have sinus problems, the odor is not going to help and may intensify that. So those people I guess you'd say, not in terms of health, but they are going to experience some discomforts because there is some odor. They would be sensitive to any odor not just necessarily biosolids, or any pollen or things like that. There may be some impacted people; my wife is one of those people. **But so far there is not a threat to the groundwater supply or a question of the water quality in the Staunton River or anything.** No sir. The biggest thing there has been some, on occasions, some truck accidents but all of them have been cleaned up. They usually lime them and clean them up so there is no localized contamination of either the surface or the groundwater. But there has been a lot of opposition and primarily they will try to emphasize health, but most times it is just odor and traffic. **Are biosolids classified as a hazardous material?** No. I think that if the trend continues, I fully believe that the land application of biosolids will not be allowed in 5 or 10 years down the road. There is that much opposition. **Really?** Yes sir. Which a lot of it is unfounded and then what you look at is, if it not allowed to be land applied in a safe manner on an agricultural farm then what do you do with it? We could put it in landfills or we can incinerate it. If you put it in the landfills, man you have hard enough time locating a landfill now, much less putting biosolids in the landfill. **I thought that biosolids were categorized as a commodity though. Hasn't the legislature ruled that the biosolids are a commodity?** The federal courts. **Which means according to the constitution you are not going to be able to stop it. The interstate commerce clause of the constitution.** Correct? I remember attending meetings where biosolids was banned in Franklin County when I was with VDH and I thought I and the contractor was going to be lynched. Since then it has been approved

and has been a successful program. **Have any County's in VA banned it?** You can't outlaw it, but you can regulate it to death. **Dr. Cutler comments in an ecological perspective why would you want to not recycle the nutrients that come off the top soil of our farmlands, through food, through the human body, back and recycle it. Why would you want to waste those nutrients by putting them in a landfill or burning them? It's stupid.** You are making a logical conclusion; logic is not used in biosolids discussions. People are afraid that you are going to introduce contaminants into the food chain, even with the protections that we have with our rules of application discussed. **Mrs. Janney said it all goes back to the education again.** I have said for many years that we have lacked education to the general public. The biosolids have transferred to DEQ. Funding for 20 positions has been approved for DEQ. **Chairman Poindexter said this is a case where one or two bad applications will hurt the whole effort to recycle the nutrients back.** Anything that this group could help with this biosolids issue would be great. Thank you.

- **Chairman Poindexter asked when you were talking about your plant discharge have you been tracking nitrogen and phosphorus?** No sir, that was initially part of what would be monitored. We proposed a monitoring program to demonstrate there was not an impact to the Dan River. Since tracking began we have had no violations of stream standards. There were 2 exceptions when it fell below the average 5.0 level during drought conditions (Below 7Q10 flow) which would be expected. **That part of the stream, is it part of the TMDL?** It not part of the TMDL yet.
- Greg said there will be a meeting next Thursday the 30th at 1:30 at Henry County Administration Office #1 meeting room to discuss the TMDL for the Smith River. If any of you would like to come, get in touch with me and I will give you further details, but it's basically a steering committee group.

Sub-committee Reports:

- Agriculture and Forestry: No report.
- Municipal Interests and Permit Holders (MIPH):
- Rivers: No report.
- Water: No report
- Lake Interests: No report.

Future Meetings:

The next meeting will be in Halifax area near the beginning of August. Since then the meeting has been moved to September 6. The program will focus on environmental education.

Adjournment